



Corres. and Mail  
**BOX AF**

BOX AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1615

PATENT  
0933-0154P

*#23AF  
B.S.H.  
9-17-02*  
**RECEIVED**

*AUG 20 2002*

*TECH CENTER 1600/2900*

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: V. LEHTOLA et al. Conf.: 7050  
Appl. No.: 09/486,971 Group: 1615  
Filed: April 11, 2000 Examiner: R. Bennett  
For: PHARMACEUTICAL PREPARATION COMPRISING  
CLODRONATE AS ACTIVE INGREDIENT AND  
SILICIFIED MICROCRYSTALLINE CELLULOSE AS  
EXCIPIENT

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents  
Washington, DC 20231

August 16, 2002

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 16, 2002 of the Primary Examiner finally rejecting claims 1, 3, 4, 6, 11 and 14-19.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$110.00 is required for the full period of the above-requested extension of time.

An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of Appeal.

08/19/2002 CCHAU1 0000006 09486971

01 FC:119  
02 FC:115

320.00 0P  
110.00 0P

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$320.00  
 Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$430.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check(s) in the amount of \$430.00 is/are enclosed.  
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

  
By \_\_\_\_\_  
Gerald M. Murphy, Jr., #28,977

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

*on*  
GMM/CVC:jls  
0933-0154P

(Rev. 02/20/02)